

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

BRIAN LEMOS,)	
)	
Plaintiff,)	Case No. 6:12-CV-00896-HO
)	
v.)	ORDER
)	
REDMOND SCHOOL DISTRICT and)	
SHAY MIKALSON,)	
)	
Defendants.)	
_____)	

On June 18, 2012, plaintiff filed an acceptance of Offer of Judgment in this matter. [#10]. Accordingly, this court entered a judgment for plaintiff and against defendants, which awarded plaintiff \$65,000 plus "reasonable costs and attorney fees, to be determined pursuant to FRCP 54, incurred through June 4, 2012." [#11].

Plaintiff requests \$41,593.53 for attorney fees and \$550.55 for costs. [#12; #17]. Defendants object arguing that fees and

costs incurred after defendants made their initial offer of judgment on February 22, 2012, were unnecessary. [#22].

Plaintiff responds that work performed by Mr. Harris, his original attorney who represented him through his investigation and disciplinary process, was not duplicative of the work later performed by Mr. Synder. [#24-p.3]. For example, plaintiff asserts that although requested on May 25, 2011, Mr. Snyder did not have a recording of plaintiff's interview taken on October 2011, until June 2012 and thus did not have information crucial for advising plaintiff about whether he should accept defendants' offer on February 22, 2012. [#24-pp.4-5].

The judgment in this matter orders defendants to pay "reasonable costs and attorney fees . . . incurred through June 4, 2012." [#11]. Defendants do not object to the rate any of plaintiff's attorneys charge and instead seek to exclude Mr. Snyder's fees incurred after February 22, 2012 and Mr. Harris's fees incurred during the disciplinary process and investigation which lead plaintiff to file his civil rights case with this court. [#22].

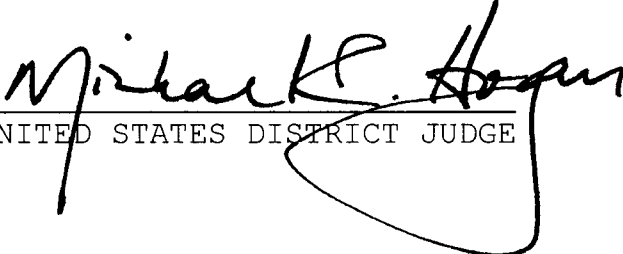
After thorough examination of the detailed time sheets and bill of costs, I find plaintiff's request for fees and costs are not duplicative and are reasonable.

CONCLUSION

Plaintiff's motion for attorney fees and costs [#12; #17] is GRANTED. Plaintiff is hereby awarded attorney fees in the amount of \$41,593.53 and costs in the amount of \$550.55.

IT IS SO ORDERED.

DATED this 12th day of ~~August~~ ^{SEPT.}, 2012.


UNITED STATES DISTRICT JUDGE